

REMARKS

Claims 1-18 are pending in the application. Claims 2-3 and 11-12 are hereby canceled. Claims 1, 4, 10 and 15 are hereby amended. No new matter has been introduced by the claim amendments.

Claims 1, 7, 10, 13 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kielland (US 6,081,206 A). Applicant respectfully submits that claim 1, as amended, is not anticipated by the Kielland reference. Claim 1 has been amended to require the camera means to include means for capturing an image of a visible location identifier, where the location identifier is disposed in proximity to the object being identified. As noted in the Office Action, the Kielland reference does not teach a location identifier, or means for obtaining an image of a location identifier. Therefore, the Kielland reference does not anticipate claim 1 as amended. Accordingly, claim 1 as amended patentably defines over the Kielland reference under § 102(b). Reconsideration and allowance of claim 1 is requested.

Claim 7, which depends on claim 1, also is not anticipated by the Kielland reference for the same reason as claim 1. Therefore, claim 7 patentably defines over the Kielland reference under § 102(b). Reconsideration and allowance of claim 7 is requested.

Claim 10, as amended, requires the steps of disposing an object in the vicinity of a location identifier, using camera means to capture an image of the location identifier, using computer processing means to process the captured image of the location identifier to identify characters of the location identifier, and outputting information related to the characters of the location identifier. As noted in the Office Action, the Kielland reference does not teach obtaining an image of a location identifier, or processing a location identifier to determine location identifying characters. Therefore, the Kielland reference does not anticipate claim 10 as amended. Accordingly, claim 10 as amended patentably defines over the Kielland reference under § 102(b). Reconsideration and allowance of claim 10 is requested.

Claims 13 and 14, which depend on claim 10, also are not anticipated by the Kielland reference for the same reason as claim 10. Accordingly, claims 13 and 14 patentably define over the Kielland reference under § 102(b). Reconsideration and allowance of claims 13 and 14 is requested.

Claims 4-6, 15, 16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of the Kielland reference and the Avitzour reference (US 5,525,883). For at least the reasons set forth below, Applicant respectfully disagrees that it would have been obvious to one of ordinary skill in the art to combine the teachings of the Kielland and Avitzour references to arrive at the invention recited in these claims or the amended claims 1 and 10 upon which they depend.

First, the Kielland reference provides no motivation to one of ordinary skill in the art to consider the use of a location identifying marker or character as an alternate means of determining the position of a parked vehicle. In all the possible solutions offered by Kielland for the problem of a satellite-based geo-referencing system being unable to function inside a parking facility for lack of a clear view of the sky (column 25, lines 34-50), Kielland does not consider or suggest the use of location identifying characters or markers placed in proximity to a parked vehicle. In this regard, the Kielland reference provides absolutely no motivation to one skilled in the art to consider automatic location identification using location characters as a solution to the problem.

Second, the Kielland reference provides no motivation to one of ordinary skill in the art to look to robot navigation art (such as Avitzour) for alternate means of determining the position of a parked vehicle. One skilled in the art of parking enforcement would have no reason to consider robot navigation art to solve the problem addressed by Kielland. Thus, the Kielland reference provides no motivation or suggestion to combine his teachings with those of Avitzour.

Third, the Avitzour reference provides no motivation for the cited combination of teachings. The Avitzour reference is concerned only with automatic guidance of a moving robotic vehicle within an industrial setting. Avitzour is not concerned with determining the position of *stationary* parked vehicles.

The only possible connection between the Kielland and Avitzour references is that both describe systems that use image processing to gather information. However, this connection is tenuous at best. The image processing system described by Kielland gathers information of a completely different type than that gathered by the Avitzour system, and the Kielland system uses the information for a completely different and unrelated purpose. There is simply no suggestion or motivation for the combination of these two references. Such motivation is only provided by

hindsight knowledge of the teachings of the present application. It is improper to rely upon such motivation as grounds for combining two prior art references to make an obviousness rejection under § 103.

For the reasons set forth above, Applicant submits that claims 1 and 10 as amended, claims 4-6 that depend on claim 1, claims 13-14 that depend on claim 10, and claims 15, 16, and 18 are not obvious based on a combination of the Kielland and Avitzour references. Therefore, these claims patentably define over the combination of the Kielland and Avitzour references under § 103. Reconsideration and allowance of these claims is requested.

Claim 8 stands rejected under § 103 as being obvious in view of the Kielland reference and the Geiger reference (US 6,154,010). For the reasons set forth above, Applicant submits that claim 8, which depends on claim 1, is not obvious based on any combination of the Kielland, Avitzour, or Geiger references. Geiger also does not provide any motivation for the cited combination of references. Therefore, claim 8 patentably defines over the combination of the Kielland, Avitzour and Geiger references under § 103. Reconsideration and allowance of claim 8 is requested.

Claims 9 stands rejected under § 103 as being obvious in view of the Kielland reference and the Ninomiya et al. reference (US 4,611,292). For the reasons set forth above, Applicant submits that claim 9, which depends on claim 1, is not obvious based on any combination of the Kielland and Ninomiya et al. references. Ninomiya et al. does not provide any motivation for the cited combination of references. Therefore, claim 9 patentably defines over the combination of the Kielland and Ninomiya et al. references under § 103. Reconsideration and allowance of claim 9 is requested.

Claim 17 stands rejected under § 103 as being obvious in view of the Kielland, Ninomiya, and Avitzour references. For the reasons set forth above, Applicant submits that claim 17, which depends on claim 15, is not obvious based on any combination of the Kielland, Avitzour, or Ninomiya references. Therefore, claim 17 patentably defines over the combination of the Kielland, Avitzour and Ninomiya et al. references under § 103. Reconsideration and allowance of claim 17 is requested.

In the event this response is not timely filed, Applicant hereby petitions for the appropriate extension of time and requests that the fee for the extension along with any other fees which may be due with respect to this paper be charged to our Deposit Account No. 12-2355.

Respectfully submitted,

LUEDEKA, NEELY & GRAHAM, P.C.

By: Mark P. Crockett

Mark P. Crockett

Registration No. 47,507

Date: 4/7/04  
P.O. Box 1871  
Knoxville, Tennessee 37901  
(865) 546-4305

B:\57092\57092.US.AMD A.DOC

\*\*\*CERTIFICATE OF MAILING\*\*\*

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on 4/7/04  
Date

Mark P. Crockett